

EXHIBIT A

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF FLORENCE)	
 John Mitchell,	)	C/A No. 2022-CP-
)	
Plaintiff,	)	SUMMONS
	)	(Jury Trial Requested)
Versus)	
)	
HPT TA Properties Trust dba Petro Shopping)	
Center, LP, TA Operating, LLC, Iron Skillet and)	
Robin Frierson,)	
)	
Defendants.)	

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, of which a copy is hereby served upon you, and to serve a copy of your Answer to the said Complaint to said Plaintiff's attorneys D. Nathan Hughey, A. Stuart Hudson and Bradley H. Banyas, at their office located at 1311 Chuck Dawley Blvd, Suite 201, Post Office Box 348, Mt. Pleasant, South Carolina 29465-0348, within thirty (30) days after the service hereof; exclusive of the day of such service; and if you fail to do so, judgment by default will be rendered against you for the relief demanded in the Complaint.

HUGHEY LAW FIRM, LLC

s/ A. Stuart Hudson

D. Nathan Hughey (SC Bar #68409)

A. Stuart Hudson (SC Bar #71691)

Bradley H. Banyas (SC Bar #101668)

1311 Chuck Dawley Blvd., Suite 201 (29464)

Post Office Box 348

Mt. Pleasant, South Carolina 29465-0348

(843) 881-8644 (T)

(888) 884-8311 (F)

nate@hugheyfirm.com

stuart@hugheyfirm.com

brad@hugheyfirm.com

Attorneys for the Plaintiff

January 10, 2022

Mt. Pleasant, SC

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF FLORENCE)	
 John Mitchell,	)	C/A No. 2022-CP-
)	
Plaintiff,	)	COMPLAINT
	)	(Jury Trial Requested)
Versus)	
)	
HPT TA Properties Trust dba Petro Shopping)	
Center, LP, TA Operating, LLC, Iron Skillet and)	
Robin Frierson,)	
)	
Defendants.)	

The Plaintiff, John Mitchell ("Plaintiff"), complaining of the Defendants, HPT TA Properties Trust dba Petro Shopping Center, LP, TA Operating, LLC, Iron Skillet and Robin Frierson ("Defendants"), alleges as follows:

1. That the Plaintiff is a citizen and resident of the State of Florida.
2. Upon information and belief, Defendants HPT TA Properties Trust dba Petro Shopping Center, LP and TA Operating, LLC are corporations organized and existing under the laws of a state other than the State of South Carolina. Defendants HPT TA Properties Trust dba Petro Shopping Center, LP and TA Operating, LLC own, operate and manage property and transacts significant business

in the County of Florence, State of South Carolina, specifically at 3001 TV Road, Florence, SC, 29501 and are responsible for the safety of the area.

3. Upon information and belief, Defendant Iron Skillet is a corporation organized and existing under the laws of a state other than the State of South Carolina. Defendant Iron Skillet owns, operates and manages property and transacts significant business in the County of Florence, State of South Carolina, specifically at 3001 TV Road, Florence, SC, 29501 and is responsible for the safety of the area.

4. Robin Frierson is the manager of the Iron Skillet/ HPT TA Properties Trust dba Petro Shopping Center, LP and TA Operating, LLC located at 3001 TV Road, Florence, SC, 29501, operates and manages the premises and is responsible for the safety of the property and upon information and belief is a resident of the State of South Carolina.

5. Venue is proper in this court, and the court has both subject matter and personal jurisdiction over all claims and parties.

FIRST CAUSE OF ACTION

(Negligence/Gross Negligence)

6. The Plaintiff repeats and realleges all claims as fully as if they were set forth in their entirety in this Paragraph.

7. On or about June 17, 2021, the Plaintiff was walking on the Defendants' property located at 3001 TV Road, Florence, SC, 29501. The attached Affidavit of John Mitchell is incorporated into this Complaint by reference.

8. As the Plaintiff was walking, Plaintiff encountered a very dangerous condition, namely an unsafe trip hazard on the property, created by the Defendants, and about which the Defendants knew and/or should have known in the exercise of reasonable inspection, and about which the Defendants was on notice but failed to correct, which constituted a latent defect on the premises, which was neither open nor obvious, and about which the Plaintiff assumed no risk. This dangerous condition caused the Plaintiff to suffer numerous severe injuries. [See Attached Affidavit of John Mitchell]

9. The Plaintiff, as a direct and proximate result of the defect on the premises caused by the Defendants, and the negligent, grossly negligent, willful, wanton, and reckless acts and omissions of the Defendants, suffered severe and permanent injuries and will continue to suffer injuries for the remainder of Plaintiff's life.

10. The Defendants further had the duty to warn of hidden dangers of which the Defendants knew, should have known or in the exercise of reasonable inspection of the premises could have known.

11. The Defendants further owed the duty to have the premises in a reasonably safe condition and give warning of latent or concealed perils. The Defendants owed a duty to the Plaintiff of due care to

discover risks and take safety precautions to warn of or eliminate foreseeable risks. The Plaintiff was entitled to expect that the Defendants would take reasonable care to know the actual condition prevailing at the time the Plaintiff was on the premises and make those conditions safe.

12. The Defendants had actual or constructive notice of the hazard, which the Plaintiff encountered through no fault of Plaintiff's own.

13. To the extent the Defendants allege that they did not create the hazard, it existed for such length of time prior to the injury that, under the circumstances the Defendants should have discovered and remedied the condition in the exercise of due care as set forth above.

14. Defendants' manager, Robin Frierson, actively participated in, directed and sanctioned the actions which resulted in the creation and existence of the hazardous condition and failure to warn. Further, Defendants' manager, Robin Frierson, failed to exercise ordinary and reasonable supervision which would have detected the failures of the Defendants to warn of the hazardous condition and operate the premises in a reasonably safe condition.

15. The Defendants were aware of or should have been aware of the dangerous condition and did not take any action to minimize or avoid danger to the Plaintiff which constitutes clear and convincing evidence of negligence, gross negligence, recklessness, willfulness, and wantonness, including but not limited to in the following particulars:

- a. Failing to maintain the premises;
- b. Failing to exercise due care;
- c. Failing to do what a reasonable person or entity would have done under the circumstances;
- d. Failing to post signs;
- e. Failing to inspect the premises;
- f. Failing to warn the Plaintiff;
- g. Failure to hire adequate personnel;
- h. Failing to hire adequately trained personnel;
- i. Failing to adequately train personnel;
- j. Failing to adequately manage personnel;
- k. Failing to develop adequate policies and procedures;
- l. Failing to take actions to correct known problems and;
- m. In such particulars as may be found through discovery or trial.

16. The Defendants' gross negligence, recklessness, willfulness and wantonness created a latent defect which proximately caused the Plaintiff's injuries including but not limited to:

- a. Physical pain;
- b. Suffering;

- c. Permanent impairment of health and bodily efficiency;
- d. Loss of sleep and inability to concentrate;
- e. Loss of enjoyment of Plaintiff's life;
- f. Increased susceptibility to future injury;
- g. Substantial expenses for medical services;
- h. Expenses for transportation to and from medical services; and
- i. Such other particulars as may be found through discovery or trial.

17. The Plaintiff had no knowledge or reason to suspect danger with regard to the defect contained on the premises. In addition, the Plaintiff exercised ordinary and reasonable care for Plaintiff's self at all times.

18. The Defendants are liable to the Plaintiff, and the Plaintiff is entitled to actual and punitive damages as well as all other relief that may be proper.

WHEREFORE, the Plaintiff prays as follows: (a) that the Plaintiff recover a judgment against the Defendants in an amount sufficient to compensate them for injuries and damages as described above; and (b) that the Plaintiff recover all costs associated with this action and the Plaintiff recover such other relief as the court may deem just and proper.

HUGHEY LAW FIRM, LLC

s/ A. Stuart Hudson

D. Nathan Hughey (SC Bar #68409)

A. Stuart Hudson (SC Bar #71691)

Bradley H. Banyas (SC Bar #101668)

1311 Chuck Dawley Blvd., Suite 201 (29464)

Post Office Box 348

Mt. Pleasant, South Carolina 29465-0348

(843) 881-8644 (T)

(888) 884-8311 (F)

nate@hugheyfirm.com

stuart@hugheyfirm.com

brad@hugheyfirm.com

Attorneys for the Plaintiff

January 10, 2022

Mt. Pleasant, SC

AFFIDAVIT OF JOHN MITCHELL

My name is John Mitchell and I am over the age of eighteen (18) and of sound mind and otherwise competent to make this affidavit under penalty of perjury. This affidavit is also based upon my own personal knowledge.

1. My name is John Mitchell, and I live in Florida.
2. On June 17, 2021, I was walking using a walker on the property of HPT TA Properties Trust dba Petro Shopping Center, LP, TA Operating, LLC, and Iron Skillet located at 3001 TV Road, Florence, SC, 29501.
3. I was walking in a safe manner, looking straight ahead in the direction I was going and with the belief that the property was safe and free from trip hazards.
4. While walking into the bathroom, the right wheel of my walker struck a raised weighing scale which caused me to trip, lose my balance and fall.
5. This raised scale was an unreasonably unsafe trip hazard in the bathroom entrance. The area where the tripping hazard existed was not blocked off to keep individuals from encountering it.
6. There were no warnings or notices in the area of this unsafe condition, and I did not notice the scale until I felt my foot strike it and I began to fall.

JM
Initial

7. Due to the dangerous trip hazard in the bathroom, I fell and was seriously injured.

8. Had the property been properly inspected, maintained, monitored and safeguarded I would not have tripped, fallen and been injured.

John P Mitchell
John Mitchell

_____, 2021

Sworn to me this 24th day of Nov., 2021.

Notary Public for Highlands

My commission expires 7/19/2025

Brandy M Bond



JPM
Initial

AFFIDAVIT OF SERVICE

State of South Carolina

County of Florence

Common Pleas Court

John Mitchell, et al, Plaintiff(s)

vs.

Case No: 2022-CP-2100039

HPT TA Properties Trust dba Petro Shopping Center, LP, TA Operating, LLC, et al,
Defendant(s)

For:

HUGHEY LAW FIRM

1311 Chuck Dawley Blvd, Suite 201

Mt. Pleasant, SC 29464

To be served on: Robin Frierson

Johnny McRae, Jr, undersigned, being duly sworn, deposes and says:that on 19-Jan-2022 11:56 am at 3001 TV Road, Florence, SC

the undersigned served the documents described as:

Summons and ComplaintAffidavit of John Mitchell

A true and correct copy of the aforesaid document(s) was served on:

Robin Frierson

By personally delivering them into the hands of same.

The person receiving documents is described as follows:

Sex	<u>F</u>	; Race	<u>White</u>	; Hair Color	<u>Black</u>	; Facial Hair	<u>N/A</u>
Approx. Age	<u>40s</u>	; Approx. Height	<u>5'09"</u>	; Approx. Weight	<u>275</u>		

☒ To the best of my knowledge and belief, said person was not engaged in the US Military at the time of service.

Subscribed and sworn to before me this

23rd day of January, 2022

NOTARY PUBLIC

My Commission Expires: 2-8-2031

I certify that I am over the age of 18, have no interest in the above action.

Undersigned declares under penalty of perjury that the foregoing is true and correct.


Johnny McRae, Jr

Process Server

Southern Pride Process, LLC

(803) 386-8559

PO Box 7125

Columbia, SC 29202-7125

SPP File: 131145-1Client File: Mitchell

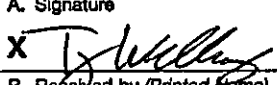
STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF FLORENCE	)	C/A No. 2022-CP-2100039
John Mitchell,)	
)	
)	
Plaintiff(s),	)	CERTIFICATE OF SERVICE
)	
Versus)	
)	
HPT TA Properties Trust dba Petro Shopping)	
Center, LP, TA Operating, LLC, Iron Skillet and)	
Robin Frierson,)	
)	
Defendants.)	

90

I, Justin M. Aubuchon, hereby certify that HPT TA Properties Trust dba Petro Shopping Center, LP was served on 1/20/22 through its registered agent with a copy of the Filed Summons & Complaint in regards to the above captioned matter by certified mail as shown by the Domestic Return Receipt attached.


Justin M. Aubuchon

2/3, 2022
Mt. Pleasant, South Carolina

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p style="text-align: center;">Corporation Service Company 508 Meeting Street West Columbia, SC 29169</p>	<p>A. Signature  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery <u>Justin M. Aubuchon</u> <u>1/20/22</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">7021 1970 0001 6009 6645</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Registered Mail Restricted Delivery (\$500)</p>

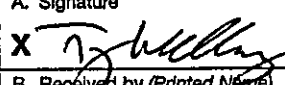

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF FLORENCE	)	C/A No. 2022-CP-2100039
John Mitchell,)	
)	
)	
Plaintiff(s),	)	CERTIFICATE OF SERVICE
)	
Versus)	
)	
HPT TA Properties Trust dba Petro Shopping)	
Center, LP, TA Operating, LLC, Iron Skillet and)	
Robin Frierson,)	
)	
Defendants.)	

90

I, Justin M. Aubuchon, hereby certify that TA Operating, LLC was served on 1/20/22 through its registered agent with a copy of the Filed Summons & Complaint in regards to the above captioned matter by certified mail as shown by the Domestic Return Receipt attached.


Justin M. Aubuchon

2/3, 2022
Mt. Pleasant, South Carolina

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p style="text-align: center;">Corporation Service Company 508 Meeting Street West Columbia, SC 29169</p>	<p>A. Signature <div style="display: flex; justify-content: space-between;"> <input checked="" type="checkbox"/>  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee </div> </p> <p>B. Received by (Printed Name) <div style="border: 1px solid black; padding: 2px;">Trey Williams</div> </p> <p>C. Date of Delivery <div style="border: 1px solid black; padding: 2px;">1/20/22</div> </p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<div style="text-align: center;">  9590 9402 7035 1225 3194 68 2. Article Number (Transfer from service label) 7021 1970 0001 6009 6249 </div>	<p>3. Service Type</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Mail <input type="checkbox"/> Mail Restricted Delivery (500) </div> <div style="width: 45%;"> <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery </div> </div>

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF FLORENCE)	
)	
John Mitchell,	)	C/A No. 2022-CP-21-00039
)	
	)	AMENDED SUMMONS
Plaintiff,	)	(Jury Trial Requested)
)	
Versus)	
)	
TA Operating, LLC and Robin Bass-Frierson,)	
)	
Defendants.)	

YOU ARE HEREBY SUMMONED and required to answer the Amended Complaint in this action, of which a copy is hereby served upon you, and to serve a copy of your Answer to the said Amended Complaint to said Plaintiff's attorneys D. Nathan Hughey, A. Stuart Hudson and Bradley H. Banyas, at their office located at 1311 Chuck Dawley Blvd, Suite 201, Post Office Box 348, Mt. Pleasant, South Carolina 29465-0348, within thirty (30) days after the service hereof; exclusive of the day of such service; and if you fail to do so, judgment by default will be rendered against you for the relief demanded in the Amended Complaint.

HUGHEY LAW FIRM, LLC

s/ A. Stuart Hudson

D. Nathan Hughey (SC Bar #68409)

A. Stuart Hudson (SC Bar #71691)

Bradley H. Banyas (SC Bar #101668)

1311 Chuck Dawley Blvd., Suite 201 (29464)

Post Office Box 348

Mt. Pleasant, South Carolina 29465-0348

(843) 881-8644 (T)

(888) 884-8311 (F)

nate@hugheyfirm.com

stuart@hugheyfirm.com

brad@hugheyfirm.com

Attorneys for the Plaintiff

February 15, 2022

Mt. Pleasant, SC

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF FLORENCE)	
)	
John Mitchell,	)	C/A No. 2022-CP-21-00039
)	
Plaintiff,	)	AMENDED COMPLAINT
	)	(Jury Trial Requested)
Versus)	
)	
TA Operating, LLC and Robin Bass-Frierson,)	
)	
Defendants.)	

The Plaintiff, John Mitchell ("Plaintiff"), complaining of the Defendants, TA Operating, LLC, and Robin Bass-Frierson ("Defendants"), alleges as follows:

1. That the Plaintiff is a citizen and resident of the State of Florida.

2. Upon information and belief, Defendant TA Operating, LLC is a corporation organized and existing under the laws of a state other than the State of South Carolina. Defendant TA Operating, LLC owns, operates and manages property and transacts significant business in the County of Florence, State of South Carolina, specifically at 3001 TV Road, Florence, SC, 29501 and are responsible for the safety of the area.

3. Robin Bass-Frierson is the manager of the Iron Skillet/TA Operating, LLC located at 3001 TV Road, Florence, SC, 29501, operates and manages the premises and is responsible for the safety of the property and upon information and belief is a resident of the State of South Carolina.

4. Venue is proper in this court, and the court has both subject matter and personal jurisdiction over all claims and parties.

FIRST CAUSE OF ACTION

(Negligence/Gross Negligence)

5. The Plaintiff repeats and realleges all claims as fully as if they were set forth in their entirety in this Paragraph.

6. On or about June 17, 2021, the Plaintiff was walking on the Defendants' property located at 3001 TV Road, Florence, SC, 29501. The attached Affidavit of John Mitchell is incorporated into this Amended Complaint by reference.

7. As the Plaintiff was walking, Plaintiff encountered a very dangerous condition, namely an unsafe trip hazard on the property, created by the Defendants, and about which the Defendants knew and/or should have known in the exercise of reasonable inspection, and about which the Defendants was on notice but failed to correct, which constituted a latent defect on the premises, which was neither open nor obvious, and about which the Plaintiff assumed no risk. This dangerous condition caused the Plaintiff to suffer numerous severe injuries. [See Attached Affidavit of John Mitchell]

8. The Plaintiff, as a direct and proximate result of the defect on the premises caused by the Defendants, and the negligent, grossly negligent, willful, wanton, and reckless acts and omissions of the Defendants, suffered severe and permanent injuries and will continue to suffer injuries for the remainder of Plaintiff's life.

9. The Defendants further had the duty to warn of hidden dangers of which the Defendants knew, should have known or in the exercise of reasonable inspection of the premises could have known.

10. The Defendants further owed the duty to have the premises in a reasonably safe condition and give warning of latent or concealed perils. The Defendants owed a duty to the Plaintiff of due care to discover risks and take safety precautions to warn of or eliminate foreseeable risks. The Plaintiff was entitled to expect that the Defendants would take reasonable care to know the actual condition prevailing at the time the Plaintiff was on the premises and make those conditions safe.

11. The Defendants had actual or constructive notice of the hazard, which the Plaintiff encountered through no fault of Plaintiff's own.

12. To the extent the Defendants allege that they did not create the hazard, it existed for such length of time prior to the injury that, under the circumstances the Defendants should have discovered and remedied the condition in the exercise of due care as set forth above.

13. Defendant's manager, Robin Bass-Frierson, actively participated in, directed and sanctioned the actions which resulted in the creation and existence of the hazardous condition and failure to warn. Further, Defendant's manager, Robin Bass-Frierson, failed to exercise ordinary and reasonable supervision which would have detected the failures of the Defendants to warn of the hazardous condition and operate the premises in a reasonably safe condition.

14. The Defendants were aware of or should have been aware of the dangerous condition and did not take any action to minimize or avoid danger to the Plaintiff which constitutes clear and convincing evidence of negligence, gross negligence, recklessness, willfulness, and wantonness, including but not limited to in the following particulars:

- a. Failing to maintain the premises;
- b. Failing to exercise due care;
- c. Failing to do what a reasonable person or entity would have done under the circumstances;
- d. Failing to post signs;
- e. Failing to inspect the premises;
- f. Failing to warn the Plaintiff;
- g. Failure to hire adequate personnel;
- h. Failing to hire adequately trained personnel;

- i. Failing to adequately train personnel;
- j. Failing to adequately manage personnel;
- k. Failing to develop adequate policies and procedures;
- l. Failing to take actions to correct known problems and;
- m. In such particulars as may be found through discovery or trial.

15. The Defendants' gross negligence, recklessness, willfulness and wantonness created a latent defect which proximately caused the Plaintiff's injuries including but not limited to:

- a. Physical pain;
- b. Suffering;
- c. Permanent impairment of health and bodily efficiency;
- d. Loss of sleep and inability to concentrate;
- e. Loss of enjoyment of Plaintiff's life;
- f. Increased susceptibility to future injury;
- g. Substantial expenses for medical services;
- h. Expenses for transportation to and from medical services; and
- i. Such other particulars as may be found through discovery or trial.

16. The Plaintiff had no knowledge or reason to suspect danger with regard to the defect contained on the premises. In addition, the Plaintiff exercised ordinary and reasonable care for Plaintiff's self at all times.

17. The Defendants are liable to the Plaintiff, and the Plaintiff is entitled to actual and punitive damages as well as all other relief that may be proper.

WHEREFORE, the Plaintiff prays as follows: (a) that the Plaintiff recover a judgment against the Defendants in an amount sufficient to compensate them for injuries and damages as described above; and (b) that the Plaintiff recover all costs associated with this action and the Plaintiff recover such other relief as the court may deem just and proper.

HUGHEY LAW FIRM, LLC

s/ A. Stuart Hudson

D. Nathan Hughey (SC Bar #68409)

A. Stuart Hudson (SC Bar #71691)

Bradley H. Banyas (SC Bar #101668)

Post Office Box 348

Mt. Pleasant, South Carolina 29465-0348

(843) 881-8644 (T)

(888) 884-8311 (F)

nate@hugheyfirm.com

stuart@hugheyfirm.com

brad@hugheyfirm.com

February 15, 2022
Mt. Pleasant, SC

Attorneys for the Plaintiff

AFFIDAVIT OF JOHN MITCHELL

My name is John Mitchell and I am over the age of eighteen (18) and of sound mind and otherwise competent to make this affidavit under penalty of perjury. This affidavit is also based upon my own personal knowledge.

1. My name is John Mitchell, and I live in Florida.
2. On June 17, 2021, I was walking using a walker on the property of HPT TA Properties Trust dba Petro Shopping Center, LP, TA Operating, LLC, and Iron Skillet located at 3001 TV Road, Florence, SC, 29501.
3. I was walking in a safe manner, looking straight ahead in the direction I was going and with the belief that the property was safe and free from trip hazards.
4. While walking into the bathroom, the right wheel of my walker struck a raised weighing scale which caused me to trip, lose my balance and fall.
5. This raised scale was an unreasonably unsafe trip hazard in the bathroom entrance. The area where the tripping hazard existed was not blocked off to keep individuals from encountering it.
6. There were no warnings or notices in the area of this unsafe condition, and I did not notice the scale until I felt my foot strike it and I began to fall.

JM
Initial

7. Due to the dangerous trip hazard in the bathroom, I fell and was seriously injured.

8. Had the property been properly inspected, maintained, monitored and safeguarded I would not have tripped, fallen and been injured.

John P Mitchell
John Mitchell

_____, 2021

Sworn to me this 24th day of Nov., 2021.

Notary Public for Highlands

My commission expires 7/19/2025

Brandy M Bond



JPM
Initial